

Appln No. 09/785,643

Amdt date October 19, 2004

Reply to Office action of April 19, 2004

al. (Lewis et al.) and further in view of U.S. Patent No. 5,598,477 issued to Berson (Berson).

In paragraph 1 of the Office Action, the Examiner states that the Applicant has attempted to show non-obviousness by attacking the references individually. Applicant respectfully submits, however, that it focused on the references individually to show that the references, *alone and in combination*, lack all of the elements of the claim.

The Examiner further states that it is proper for him to cite a reference for what it would reasonably have suggested to one of ordinary skill in the art. Applicant does not dispute this assertion, but submits that the references would not have taught or suggested Applicant's claimed invention to one skilled in the art. It is improper, as the Examiner has done here, to combine references that do not in combination disclose each and every feature of the claimed invention. It is further improper to piece together references when the references themselves, *alone and in combination*, fail to disclose or suggest such a combination.

Significantly, neither Lewis et al. nor Berson, *alone or in combination*, discloses storing value bearing indicium data in a validation information database and determining a validity status for the value bearing indicium data using the validation information database as called for in Applicant's claimed invention. The Examiner has not responded to this argument.

By way of example, with regard to claims 1, 19, and 39, each of these claims call for ...receiving validation information

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from an end-user's machine via the computer network, generating value bearing indicium data using the validation information, storing the value bearing indicium data in a validation information database,...receiving the value bearing indicium data from a scanning machine via the computer network, determining a validity status for the value bearing indicium data using the validation information database, and transmitting the validity status to the scanning machine.

However, the invention as claimed in claims 1, 19, and 39 is not taught, described, or suggested by Lewis et al., even in view of Berson. In fact, Berson teaches away from the Applicant's method of validating a value bearing indicium. As admitted in the Office action, there is no provision in the disclosure of Lewis et al. for storing the value bearing indicium data in a validation information database and determining a validity status for the value bearing indicium data using the validation information database.

In the Office action, it is proposed that Berson discloses a system having both a validation information database and using the validation information database to validate a value bearing indicium. However, the Applicant respectfully submits Berson discloses neither. In Berson, a ticket is created having a field including sufficient information to enable automatic reconciliation of the ticket. The information may be fully encrypted or digitally signed. Validation of the ticket is performed by using only the information included in the ticket, either automatically or by an operator. Only after the ticket has been validated does the validating system then download

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information to reconcile the ticket. There is no suggestion in Berson that the information used in reconciling the ticket is used to validate the ticket. Instead, validation is a necessary precondition to accessing the information used during reconciliation.

In addition, Lewis et al. do not disclose transmitting the validity status to the scanning machine as called for in claim 1. In the Office action, it is proposed that Berson discloses such an operation. However, Berson instead teaches away from such an operation as the validating system performs the validation step at the same location where the ticket is proffered. As the validating system includes the means for scanning the ticket, there is no need to transmit a validation status within the validating system to a scanning system.

In other words, the references cited by the Examiner, either alone or in combination, fail to disclose or suggest the claimed invention

With regard to claims 4, 14, 20, 34, and 40, each of these claims calls for ...the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database.

Applicant submits that the invention as claimed in the remaining claims is not taught, described, or suggested by Lewis et al., alone or in combination with Berson. Applicant restates and reiterates the arguments it made in its earlier response and requests that the Examiner cite the portions of the references on which he is relying to reject the particular claims of this

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invention. Applicant has reviewed the citations set forth by the Examiner, but the citations do not disclose or suggest the whole blocks of claim elements for which the Examiner cites the references. Significantly, the Examiner has given no support for how and why the references would have been combined to disclose or suggest the claimed inventions.

Based on the foregoing, Applicant respectfully requests allowance of claims 1-46 and early issuance of a Notice of Allowance. If there are issues that would prevent allowance, Applicant respectfully requests that the Examiner contact the undersigned counsel of record for a telephonic interview.

Respectfully submitted,
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By 

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